

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

IN RE:

Valsartan, Losartan, and Irbesartan
Products Liability Litigation

This document applies to all cases.

MDL No. 2875 (RBK-SAK)

ORDER

KUGLER, U.S. DISTRICT JUDGE:

THIS MATTER having come before the Court upon the Wholesaler Defendants' Objections to and Motion to Modify Special Master Order No. 82 (ECF No. 2480); and

THE COURT HAVING REVIEWED Special Master Order No. 82 (ECF No. 2469), as well as the Memorandum of Law in support of Wholesaler Defendants' Objections to and Motion to Modify Special Master Order No. 82 (ECF No. 2480-1), Plaintiffs' Memorandum of Law in Opposition to Wholesaler Defendants' Objection to and Motion to Modify Special Master Order No. 82 (ECF No. 2491), and Wholesaler Defendants' Reply in Support of the Objections to and Motion to Modify Special Master Order No. 82 (ECF No. 2498); and

THE COURT OBSERVING that the Special Master denied the Wholesaler Defendants' request that the Plaintiff TPP class representatives and related health insurance entity assignors be ordered to respond to Wholesaler Defendants' proposed Requests for Production numbered 7 through 28 (ECF No. 2469); and

THE COURT AGREEING, regardless of the standard of review to be applied—whether “clearly erroneous” or “abuse of discretion”—with the findings and decision of the Special Master that Wholesaler Defendants' requests are variously “clearly untimely,” (*id.* at 8), “patently over broad” (*id.* at 9), “an impermissible fishing expedition” (*id.* at 10), “gotcha” requests (*id.* at 12), and the like. Therefore,

IT IS HEREBY ORDERED on this 3rd day of October 2023, that Defendant Wholesalers' Objections are **OVERRULED** and Wholesaler Defendants' Motion to Modify is **DENIED**.

Dated: 3 October 2023

s/ Robert B. Kugler
Hon. Robert B. Kugler
United States District Judge